

PATENT APPLICATION  
PO-7827  
LeA 36,408

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF )  
HERBERT EICHENAUER ET AL ) GROUP NO.: 1796  
SERIAL NUMBER: 10/721,127 ) EXAMINER: JEFFREY C. MULLIS  
FILED: NOVEMBER 25, 2003 )  
TITLE: IMPACT-MODIFIED BLENDS ) CONFIRMATION NO.: 6193

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. §1.114**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sirs:

This response is filed with a Request for Continued Examination (“RCE”) under 37 C.F.R. §1.114 in the above-captioned matter. Applicants contend that the instant RCE is proper because it is filed after receipt of a Final Office Action, but before the filing of a Notice of Appeal to the Board of Patent Appeals and Interferences (the “Board”). Applicants respectfully request that the Office withdraw the finality of the Office Action mailed August 14, 2008 to permit entry and consideration of the instant amendment. A Petition For Extension of Time is being filed simultaneously herewith.

Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 7 of this paper.